RCMP External Review Committee

2005-2006

Departmental Performance Report

The Honourable Stockwell Day, P.C., M.P.
Minister of Public Safety
(Public Safety and Emergency Preparedness Canada)

Table of Contents

SECTION I: OVERVIEW 1
- The Chair's Message 1
- Management Representation Statement 2
- Summary Information 3

SECTION II: ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME 7
- A. Context 7
- B. Planning Overview 7
- C. Analysis by Program Activity 9
  - Program Activity 1 9
  - Program Activity 2 14
- D. Lessons Learned 17

SECTION III: SUPPLEMENTARY INFORMATION 18
- Organizational Information 18
- Table 1 - Comparison of Planned to Actual Spending (including FTEs) 19
- Table 2 - Resources by Program Activity 20
- Table 3 - Voted and Statutory Items 20
- Table 4 - Services Received Without Charge 21
- Table 5-A - *User Fees Act* 22
- Table 5-B - *Policy on Service Standards for External Fees* 23
- Table 6 - Travel Policies 24
- Table 7 - Financial Statements 25
- Table 8 - Internal Audits or Evaluations 36

SECTION IV - OTHER ITEMS OF INTEREST 37

SECTION I: OVERVIEW

The Chair's Message

The Performance Report of the Royal Canadian Mounted Police External Review Committee (the "Committee") for 2005-2006 provides an overview of the work of the Committee during this fiscal year. It discusses the extent to which the Committee has met its objectives as set out in its 2005-2006 Report on Plans and Priorities.

The Committee is a federal tribunal responsible for the civilian oversight of certain grievances as well as the disciplinary and discharge and demotion appeals within the RCMP. Created by Parliament through the *Royal Canadian Mounted Police Act*, the Committee's overall strategic objective is to positively influence labour relations within the RCMP. Its mandate includes the impartial review of cases and the promotion of information sharing.

Impartial, timely and independent case review is the key activity of the Committee. After consideration of all the issues, the Chair of the Committee provides findings and recommendations to the RCMP Commissioner, who is the final decision maker. If the Commissioner decides not to follow the Committee recommendations, the law requires that he give an explanation for not doing so in his reasons.

The 2005-2006 fiscal year has been marked by changes to the organization and changes in the way in which the Committee does its work. The Committee had a marked increase in the number of cases referred to it and has explored and formalized a number of processes to ensure a speedier processing of cases before it.

There is no doubt in my mind that the work of the RCMP is of the highest importance and I am committed to ensuring that the Committee's work positively contributes to the labour relations environment of the RCMP and the safety and security of all Canadians.

Catherine Ebbs

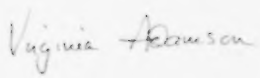
Catherine Ebbs
Chair

Management Representation Statement

I submit, for tabling in Parliament, the 2005-06 Departmental Performance Report (DPR) for the RCMP External Review Committee.

This report has been prepared based on the reporting principles contained in the *Guide for the Preparation of Part III of the 2005-2006 Estimates: Reports on Plans and Priorities and Departmental Performance Reports*:

- It adheres to the specific reporting requirements outlined in the TBS guidance;
- It is based on the department's approved Program Activity Architecture structure as reflected in its MRRS;
- It presents consistent, comprehensive, balanced and reliable information;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved numbers from the Estimates and the Public Accounts of Canada in the DPR.



Virginia Adamson
Executive Director and Senior Counsel (Acting)

September 14, 2006

Summary Information

Committee's Raison d'être

The RCMP External Review Committee is an independent and impartial agency that aims to promote fair and equitable labour relations within the RCMP, in accordance with applicable principles of law. To this end the Committee conducts an independent review of appeals in disciplinary and discharge and demotion matters, as well as certain categories of grievances, in accordance with the *RCMP Act*.

Financial Resources ($thousands)

Planned	Authorities	Actual Spending
879	934	916

Human Resources (FTEs)

Planned	Actual *	Difference
6	6	0

* From April 1st to July 11th, 2005, one position was vacant.

Departmental Priorities

Strategic Outcome: The RCMP External Review Committee aims to positively influence the manner in which labour relations issues are addressed within the RCMP				
Program Activity	**Type**	**Planned Spending ($ thousands)**	**Actual Spending ($ thousands)**	**Expected Results and Current status**
1. Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee	**ongoing**	**658**	733	met-in progress
Priority 1 - Focus on effectiveness and quality of case management process and maintain optimum environment for ERC staff				met-in progress

Priority 2 - Improve efficiency of case management process				met-in progress
Priority 3 - Increase transparency and efficiency in operations				met-in progress
2. Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles	**ongoing**	**221**	**183**	met-in progress
Priority 1 - Increase level of awareness of the ERC's work				met-in progress

Alignment of Strategic Outcome with Government of Canada Outcomes

Strategic Outcome	Government of Canada Outcomes
The RCMP External Review Committee aims to positively influence the manner in which labour relations issues are addressed within the RCMP.	The Strategic Outcome of the RCMP External Review Committee supports all government outcomes: 1. Economic - strong economic growth; - an innovative and knowledge-based economy; - income security and employment for Canadians; - a fair and secure marketplace; and - a clean and healthy environment. 2. Social - healthy Canadians with access to quality health care; - diverse society that promotes linguistic duality and social inclusion; - a vibrant Canadian culture and heritage; and - safe and secure communities. 3. International - a strong and mutually beneficial North American partnership; - a prosperous Canada through global commerce; - a safe and secure world through international cooperation; and - global poverty reduction through sustainable development.
Program Activity 1: Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee	
Program Activity 2: Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles	

Overall Departmental Performance

The overall strategic objective of the RCMP External Review Committee is to positively influence the labour relations environment of the RCMP. With regard to the Committee's program activity of case review, the Committee's statutory mandate is to provide an independent review mechanism with regard to labour relations issues that affect members of the RCMP. In accordance with this mandate, case review remains a top priority of the Committee. The Committee continues to have a backlog of cases and has integrated additional processes toward ensuring a faster time for completion of cases before it. It continues to examine strategies for facilitating an even speedier process for case reviews, including the possibility of additional resources. In addition, the Committee had a near record number of cases referred to it this year, which has added to its backlog.

With regard to the second program activity, the Committee considers its communication role with its stakeholders essential in ensuring that its mandate is effectively met. This year, Committee staff met with different stakeholders in the RCMP grievance administration and disciplinary and discharge and demotion appeal process. The Committee distributed its *Communiqué* on a quarterly basis and posted all *Communiqués* on the web site. Summaries of all cases are also included on the web site and provide both the RCMP membership, as well as the public, with access to all our recommendations. Staff of the Committee responded to 108 requests for information, some involving complex questions. The rate of response is usually within 24 hours.

In addition, staff attended training and conferences to stay current in a variety of areas. As in previous years, Committee staff played an active role in training new members of the Staff Relations Representatives (SRR) Program. Committee staff also visited RCMP detachments in Surrey, B.C, Calgary, Alberta , and Ottawa, Ontario. Two offices for the coordination of grievances were also visited and information on operations and processes were shared.

The Committee also made a written submission to the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar. The submission addressed a question before the Inquiry Commissioner regarding potential amalgamation of the Committee with another agency involved in civilian review of RCMP activities and highlighted the unique role played by the Committee in meeting its mandate and considerations of conflict of interest or perceived conflict of interest through potential mergers; the role the Committee plays as a civilian review of disciplinary matters; and the potentially expanded role it could play in that regard.

The Committee has placed a high priority on meeting federal wide objectives. Given the importance of accountability and transparency, this is considered essential. In the past year, the Committee met the requirements of the new *Public Service Modernization Act*,

updated many of its human resources policies in a collaborative process, drafted an evaluation plan, engaged in a comprehensive risk management exercise and developed its corporate risk profile. Toward meeting these priorities, the Committee values its participation and contribution in the meetings of the various small agency networks. This helps the Committee in carrying out its reporting and review functions with the federal government.

Further discussion is provided below.

SECTION II: ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

A. Context

The RCMP External Review Committee is an independent and impartial tribunal that aims to promote fair and open labour relations within the RCMP, in accordance with applicable principles of law and policy. Its statutory mandate derives from Parts II, III, IV and V of the *RCMP Act*.

The Committee conducts independent and impartial reviews of appeals in disciplinary and discharge and demotion cases, as well as certain categories of grievances, pursuant to the *RCMP Act*. It then provides its findings and recommendations to the Commissioner of the RCMP, who makes the final decision. If the Commissioner chooses not to follow the recommendations, the *RCMP Act* requires that he provide written reasons. The Committee's objective is to provide legally sound recommendations based on a rigorous independent and impartial review. It does not rate its performance in accordance with the Commissioner's acceptance rate of Committee recommendations. However, the Committee notes that in the majority of cases, the Commissioner follows the Committee's recommendation. The Committee can never predict the number of cases it will receive and frequently adapts to marked fluctuations in its workload.

The Committee operates with one member, Catherine Ebbs, who was appointed to this position in November 2005. She is also the Chair and Chief Executive Officer. There are five full-time staff at the Committee. As a federal government agency, the Committee must provide timely reviews in accordance with its mandate, and meet all of the government-wide requirements for management accountability. These reviews and requirements have seen a consistent and significant increase in recent years.

B. Planning Overview

The 2005-2006 Report on Plans and Priorities (RPP) articulates one strategic outcome:

> **The RCMP External Review Committee aims to positively influence the manner in which labour relations issues are addressed within the RCMP**

In conjunction with this overall strategic outcome, the Committee has two program activities:

1. Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee.

2. Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles.

With regard to its first program activity, the statutory mandate of the Committee is to conduct an impartial review of cases. The conduct of impartial review contributes both to more positive relations in the RCMP, as well as to more harmonious employment relations to the very important work performed by the RCMP. To ensure an impartial and independent review of RCMP workplace related disputes that come before it, the Committee stays current as to trends in law and jurisprudence, as well as changes in government policies and directives applicable to RCMP members. The Level II grievances, and disciplinary and discharge and demotion appeals involve disputes that were not resolved through the initial stages of dispute resolution. Therefore, the issues often involve complex, challenging and sensitive problems that require in depth analysis.

The Committee's second program activity is to disseminate information on the role of the Committee, on its findings and recommendations and relevant legal principles. This increases the transparency of the Committee work and contributes to a fair and open labour relations structure for the RCMP, which benefits all Canadians.

In the 2005-2006 Report on Plans and Priorities, the Committee articulated the following priorities and plans and these are aligned according to the program activities of the Committee.

Program Activity 1 - Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee

1. *Focus on effectiveness and quality of case management process and maintain optimum environment for ERC staff*

2. *Improve efficiency of case management process*

3. *Increase transparency and efficiency in operations*

Program Activity 2 - Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles.

1. *Increase level of awareness of the* ERC's work

C. Analysis by Program Activity

Program Activity 1: Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee

Financial Resources ($thousands)

Planned	Authorities	Actual Spending
658	702	733

Human Resources (FTEs)

Planned	Actual *	Difference
4	4	0

* From April 1st to July 11th, 2005, one position was vacant.

Program Activity 1: Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee

Plans, priorities and commitments

Priority 1 - Focus on effectiveness and quality of case management process and maintain optimum environment for ERC staff

- ensure that legal and policy research tools are up-to-date and complete
- individual training plans for each employee
- provide timely opportunities for ongoing skills development
- hold internal consultations and prepare a statement of values and ethics
- focus on improving internal communications with regular meetings and consultation with staff

Priority 2 - Improve efficiency of case management process

- review its case report preparation process to identify ways to streamline the process
- monitor the impact of steps already taken to increase efficiency
- update policies and practices and consolidate them into one easily accessible manual

Priority 3 - Increase transparency and efficiency in operations

- continue with implementation of performance measurement strategy

Program, resources and results linkages

Priority 1
- each employee had an individual training plan
- each employee attended training pertaining to present demands and to ensure currency in legal research
- some employees attended training pertaining to both present and future career goals
- the legal research file was reviewed in order to include templates and other information
- steps were taken to facilitate access to policies for operational purposes and several human resources policies were updated in house
- a values and ethics statement and internal policy was developed, in consultation with all staff
- regular staff meetings were held and operationally related meetings were held

Priority 2
- the case review process was reviewed by all staff to facilitate a speedier review process
- initial steps taken in 2004-2005 were reviewed and elaborated upon to increase efficiency (eg the pre-screening process)
- the internal Guidelines of the Committee were reviewed and integrated into an electronic manual

Priority 3
- the Committee developed its first Evaluation Plan
- each staff member developed a performance measurement plan

The Committee continues to spend approximately 80% of its time and resources on case review. Committee Chair and staff wages amounted to $536,528 this year and operating expenses to $196,662.

In the 2005-2006 fiscal year, a total of 61 cases were referred to the Committee. From these 61 cases, 51 grievances were referred to the Committee, compared to 30 in the previous year and 36 in 2003-2004, representing a marked increase in Level II grievances referred to the tribunal. Ten disciplinary appeals and one discharge appeal were referred to the Committee in this fiscal year, compared to eleven disciplinary appeals referred in the previous year.

In this fiscal year the Committee completed 38 cases. The Chair issued recommendations in 4 discipline appeals and 30 grievances. Four cases were withdrawn and in two such cases this occurred through the process of case preparation at the Committee. In this fiscal year, approximately one third of the grievance recommendations involved harassment related issues, and these often involve more demanding procedural and legal issues. Approximately one third of the cases involved relocation cases and the balance of cases involved travel, suspension of pay, legal fees, isolated post and travel.

The Committee continues to examine its time lines for completion of grievances, disciplinary and discharge appeals from "cradle" (the time the case arrives at the Committee) to "grave" (the time at which the case recommendation is issued to the Commissioner by the Chair of the Committee). The service standards of the Committee with regard to grievances have been set at three months, and for disciplinary and discharge appeals, six months. These time lines have not been met for every case before the Committee. There are a number of reasons for this. The most pronounced reason has been the increase in cases to review, the continued backlog and no corresponding increase in resources. Other reasons include the complexity of the case; the need to request further information; the need to ensure the record is complete; the need to identify the correct policy if it is not included in the file ; and the increase in reporting and other federal corporate requirements.

As described below, the Committee identified ways to facilitate case review. In addition, the Committee has raised concerns with the RCMP through its recommendations about the fact that the record is not always complete when a case comes before the Committee. Furthermore, the Committee has participated in discussions about the corporate reporting demands and has stayed current as to new federal policies and human resources initiatives.

For the 2005-2006 planning period, the Committee identified three priorities to assist in conducting impartial reviews and issuing findings and recommendations of the highest quality.

1. *Focus on effectiveness and quality of case management process and maintain optimum environment for ERC staff*

2. *Improve efficiency of case management process*

3. *Increase transparency and efficiency in operations*

Priority 1 - Focus on effectiveness and quality of case management process and maintain optimum environment for ERC staff

The planned activities spelled out in the 2005-2006 RPP for this priority included the following:

1. Ensure that legal and policy research tools are up-to-date and complete

In 2004-2005 an electronic research file was developed to facilitate the work of staff. Although the legal and policy research tool continued to be updated, it could not be regularly monitored due to a lack of resources. This year, as part of its ongoing case monitoring process, the Committee's backlog review process included ensuring that all

operational staff ensure that information is regularly included in this electronic and hard copy tool.

In addition, the internal Guidelines of the Committee were updated, with the exception of one section. However, that section was the subject of further legal research and it is hoped that it will be updated in the 2006-2007 year.

2. Ensure individual training plans for each employee

Similar to last year, the Committee ensured that each employee developed an individual training plan. These training plans became the basis for training opportunities throughout the year.

3. Provide timely opportunities for ongoing skills development

All staff were able to access opportunities for ongoing skills development through conferences on current legal issues and trends and through courses offered by the Canadian School of Public Service on federal government wide initiatives, such as the implementation of the *Public Service Modernization Act.*

In addition, other opportunities for skills development through consultations and interdepartmental education were available to staff. Visits to RCMP detachments as part of an ongoing capacity building process were also made possible to staff.

4. Hold internal consultations and prepare a statement of values and ethics

The Committee held consultations with staff on a values and ethics framework. The Chair of the Committee reminded individuals of their values and ethics obligations through a letter. A speaker from the Public Service Human Resources Management Agency of Canada (PSHRMAC) was invited to a staff meeting and provided an overview of Values and Ethics in the federal government. There was opportunity for discussion afterwards.

A draft policy framework for examining values and ethics issues was reviewed by all staff and finalized in 2005. In addition, a Committee representative attends quarterly meetings on values and ethics held by the Public Service Human Resources Management Agency of Canada. The RCMP External Review Committee Values and Ethics Policy Framework is electronically accessible to all staff on a shared drive of its information technology infrastructure.

5. Focus on improving internal communications with regular meetings and consultation with staff

Similar to the 2004-2005 fiscal year, staff meetings were regularly held in order to

provide opportunities to share information, raise issues both of a corporate and operational nature, and to update each other on the status of work before the Committee.

In addition, all staff participated in a Risk Management educational session, from which the Committee's Risk Management Profile was developed. This facilitated meeting provided opportunities to comment on all aspects of the Committee's operational and corporate activities and ensured a comprehensive scanning of issues by all staff. The end product, the Committee's Risk Management Profile covers all aspects of its work and provides the basis for the identification of a number of its business priorities.

Priority 2 - Improve efficiency of case management process

Three planned activities were aligned with this priority.

1. Review its case report preparation process to identify ways to streamline the process

All staff of the Committee dedicated time and effort to streamlining case reports and recommendation preparation. This also led to strategies that integrated concerns from all staff toward the reduction of its case backlog, a number of which were immediately implemented. For example, a different approach to case analysis was developed and adopted; two steps in the analysis process were amalgamated into one; the pre-screening process was developed for discipline and discharge cases as well as grievance cases. With longer term strategies toward backlog reduction, initial steps have been taken toward their implementation: for example, the Committee is exploring the possibility of further resources, and the development of information technology to facilitate case review.

2. Monitor the impact of steps already taken to increase efficiency

The pre-screening process which was integrated in the 2004-2005 fiscal year was reviewed. In conducting this review some amendments to the process were made, and as noted in the section above, a pre-screening process was also developed for disciplinary and discharge appeals referred to the Committee. The case review process was monitored to amalgamate two steps in the process and to ensure more immediate highlighting of cases that might be fast tracked, due to preliminary issues identified. It is also the continued understanding of the Committee that monitoring case review and facilitating efficiencies is an ongoing process.

3. Update policies and practices and consolidate them into one easily accessible manual

As noted above, the internal guidelines of Committee practices and policies were reviewed and updated by all staff in the 2005-2006 fiscal year. The operational policies

and guidelines are accessible to all staff electronically and on paper. There remains some minor work to be done on this. In addition, as will be discussed below, along with operational policies, all human resources and logistically related policies are now available electronically to staff.

Priority 3 - Increase transparency and efficiency in operations

The Committee identified one planned activity with regard to this priority.

1. Continue with implementation of performance measurement strategy

The Committee developed an Evaluation Plan early in the 2005-2006 fiscal year. It also engaged in an integrated Risk Management exercise which included environmental scanning and the review of all issues, including operational issues that affect its mandate. All staff participated in this exercise. The Committee then developed a Risk Management Profile which has become an important new building block in the strategic considerations of the Committee. In addition, the Committee developed a draft Human Resources Plan, in conjunction with its responsibilities under the *Public Service Modernization Act*, and the plan integrates operationally related indicators of performance over a three year period with human resources action steps.

Program Activity 2: Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles

Financial Resources ($thousands)

Planned	Authorities	Actual Spending
221	232	183

Human Resources (FTEs)

Planned	Actual	Difference
2	2	0

Program Activity 2: Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles

Plans, priorities and commitments

Priority 1 - Increase level of awareness of the ERC's work
- develop and implement an outreach strategy
- continue to provide information about the Committee findings and recommendations and ensure readily available
- continue to publish the *Communiqué* on a quarterly basis

Program, resources and results linkages

Priority 1
- met with a variety of stakeholders in the 2005-2006 year: Staff Relations Representatives Program on two occasions, provided training to new staff relations representatives, attended offices that are part of the internal grievance administration program to share information and clarify aspects of procedure. Members of the Committee also attended RCMP functions and shared information on the scope of its work.
- responded to 108 requests for information and while some of these are straightforward, others involve more complex legal issues. In the large majority of these requests for information, the Committee has responded within 24 hours, and in some cases has provided additional information in more detailed responses within a longer time frame.
- submission to the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar.
- due to operational pressures and resource issues, did not develop a formalized outreach strategy.
- all recommendations are summarized and put on its web site (www.erc-cee.gc.ca) as soon as possible in both official languages.
- summaries of the Commissioner's subsequent decision are also placed on the web site. Training materials that have been used in prior training sessions are also included on the web site.
- all key reports, including its annual reports and government reports (RPPs, DPRS), as well as any submissions made to commissions are included on the web site.
- published the *Communiqué* four times in the 2005-2006 fiscal year.
- the Committee has also offered articles on areas of interest, such as time limits and general discussions on the grievance process.

The Committee estimates that it spends 20% of its time and resources on tasks related to our second program activity. Committee Chair and staff wages amounted to $134,132 for the year and operating expenses of $49,165.

The Committee identified one priority in relation to the program activity related to information sharing and exchange.

Priority 1 - Increase level of awareness of the ERC's work

With regard to this priority, the Committee identified the following activities.

1. Develop and implement an outreach strategy

The Committee met with a variety of stakeholders in the 2005-2006 years. It met with representatives of the Staff Relations Representatives Program on two occasions, provided training to new staff relations representatives and attended two offices that are part of the internal grievance administration program to share information and clarify aspects of procedure. Members of the Committee also shared information on the scope of its work.

The Committee also responded to 108 requests for information and while some of these are straightforward, others involve more complex legal issues. In the large majority of these requests for information, the Committee has responded within 24 hours, and in some cases has provided additional information in more detailed responses within a longer time frame. The Committee made a submission to the *Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar (the Arar Commission)* in response to a question before the Commission on the amalgamation of the Committee with another agency. The Submission to the Arar Commission offered observations to the Commission about conflict of interest and potential conflict of interest and the reason for the distinct labour relations mandate that the Committee maintains. The Submission also provided a comprehensive overview of the legislative background to the creation of the Committee and a thorough review of the work that it does and raised concerns that are universal to the administrative tribunal domain concerning independence, impartiality and the avoidance of conflict of interest

Although the Committee continued to engage in outreach activities, it has not developed a formalized outreach strategy. This has been largely due to resource pressures.

2. Continue to provide information about the Committee findings and recommendations and ensure readily available

The Committee ensures that all recommendations are summarized and put on its web site (www.erc-cee.gc.ca) as soon as possible in both official languages. Summaries of the Commissioner's subsequent decisions are also placed on the web site. Training materials that have been used in prior training sessions are also included on the web site. All key reports, including its annual reports and government reports (RPPs, DPRS), as well as any submissions made to commissions are included on the web site. The Committee ensures that when requests for full recommendations in depersonalized form are made these are processed as quickly as possible.

3. Continue to publish the *Communiqué* on a quarterly basis

The Committee has published its *Communiqué* four times in the 2005-2006 fiscal year. The *Communiqué* continues to provide updates on all case recommendations issued by the Committee, on all decisions made by the Commissioner, as well as updates on relevant Federal Court of Canada cases. The Committee has also offered articles on areas of interest, such as time limits and general discussions on the grievance process.

D. Lessons Learned

Due to the referral of a much higher number of cases, the Committee has integrated more active monitoring of its own output of cases, and its backlog. Case monitoring is an essential part of the Committee's internal evaluation of its program activity of case review.

Through a variety of communication and outreach activities this year the Committee has been able to better ensure its mandate is understood and that key stakeholders are provided a high quality of service. The Committee views its communication and outreach role as integral to meeting its statutory mandate.

The Committee undertook its Integrated Risk Management Profile exercise in such a way that the entire staff were able to provide input. This turned out to be highly effective for many reasons. For example it ensured that a thorough environmental scanning of all the agency's issues were canvassed. It also allowed the Committee to better integrate human resources issues with business goals, in accordance with public service modernization. It has also provided an excellent "blueprint" on risk management to better guide the Committee's planning processes.

SECTION III: SUPPLEMENTARY INFORMATION

Organizational Information

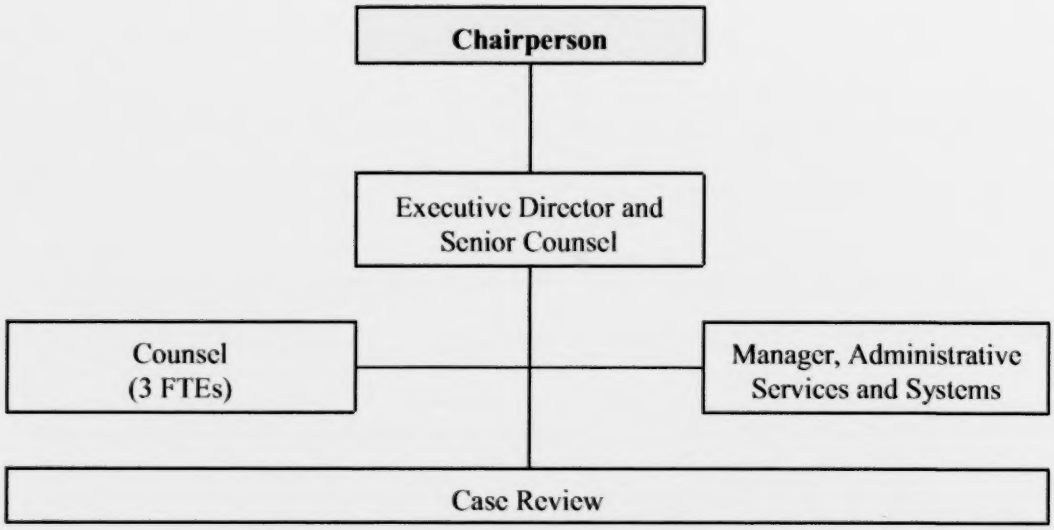


Table 1 - Comparison of Planned to Actual Spending (including FTEs)

(S thousands)	2003-04 Actual*	2004-05 Actual*	2005-2006 *			
			Main Estimates	Planned Spending	Total Authorities	Total Actuals
Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee	619	698	658	658	702	733
Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles	155	175	221	221	232	183
Total	**774**	**873**	**879**	**879**	**934*** **	**916**
Less: Non-respendable revenue	0	0	0	0	0	0
Plus: Cost of services received without charge**	112	116	115	115	115	118
Total Departmental Spending	**886**	**989**	**994**	**994**	**1049**	**1034**
Full Time Equivalents	6	6	6	6	6	6

* includes Employee Benefit Plans (EBP)

** Services received without charge usually include accommodation provided by PWGSC, the employer's share of employees' insurance premiums, and expenditures paid by TBS (excluding revolving funds), Workers' Compensation coverage provided by Social Development Canada, and services received from the Department of Justice Canada (see Table 4).

***This includes funding received through TB Vote 5, due to machinery of government changes, in the amount of $55,450.00.

Table 2 - Resources by Program Activity

2005-2006				
Program Activity	**Budgetary ($ thousands)**			**Total**
	Operating	**Total: Gross Budgetary Expenditures**	**Less: Respendable Revenue**	
Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee				
Main Estimates	658	658	0	658
Planned Spending	*658*	*658*	*0*	*658*
Total Authorities	702	702	0	702
Actual Spending	*733*	*733*	*0*	*733*
Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles				
Main Estimates	221	221	0	221
Planned Spending	*221*	*221*	*0*	*221*
Total Authorities	232	232	0	232
Actual Spending	*183*	*183*	*0*	*183*

Table 3 - Voted and Statutory Items

($ thousands)					
		2005-2006			
Vote or Summary Item	**Truncated Vote or Statutory Wording**	**Main Estimates**	**Planned Spending**	**Total Authorities**	**Actual**
80	Operating Expenditures	772	772	827	809
(S)	Contributions to employee benefit plans	107	107	107	107
	Total	**879**	**879**	**934**	**916**

Table 4 - Services Received Without Charge

($ thousands)	Total
Accommodation provided by Public Works and Government Services Canada (PWGSC)	73
Contributions covering employer's share of employees' insurance premiums and expenditures paid by Treasury Board of Canada Secretariat (excluding revolving funds). Employer's contribution to employees' insured benefit plans and associated expenditures paid by TBS	45
Salary and associated expenditures of legal services provided by the Department of Justice Canada	0
2005-2006 Services received without charge	**118**

Table 5-A - *User Fees Act*

A. User Fee	Fee Type	Fee Setting Authority	Date Last Modified	2005-2006					Planning Years		
				Forecast Revenue ($000)	Actual Revenue ($000)	Full Cost ($000)	Performance Standard [1]	Performance Results [1]	Fiscal year	Forecast Revenue ($000)	Estimated Full Cost ($000)
Fees charged for the processing of access requests filed under the *Access to Information Act*	(O)	*Access to Information Act*	1992	$10	$5	$0	Framework under development by TBS More info: http://lois.justice.gc.ca/en/a-1/8.html	Statutory deadlines met 100% of the time	2006-07 2007-08 2008-09	$10 $10 $10 Total: $30	$0 $0 $0 Total: $0
B. Date Last Modified: n/a											
C. Other Information: The RCMP External Review Committee receives a very minimal number of Access to Information requests. It received five requests in the 2005-06 fiscal year, of which four were transferred to another federal institution. The other one was processed accordingly and the Committee collected $5. The Committee projects that it will receive the same amount of requests for fiscal years 2006-07, 2007-08 and 2008-09.											

[1] Note:
According to prevailing legal opinion, where the corresponding fee introduction or more recent modification occurred prior to March 31, 2004, the:
- Performance standard, if provided, may not have received Parliamentary review;
- Performance standard, if provided, may not respect all establishment requirements under the *UFA* (e.g. international comparison; independent complaint address)
- Performance result, if provided, is not legally subject to *UFA* section 5.1 regarding fee reduction for failed performance.

Table 5-B - *Policy on Service Standards for External Fees*

A. External Fee	Service Standard [1]	Performance Result [1]	Stakeholder Consultation
Fees charged for the processing of access requests filed under the *Access to Information Act*	Framework under development by TBS More info: http://lois.justice.gc.ca/en/a-1/8.html	Statutory deadlines met 100% of the time	The service standard is established by the *Access to Information Act* and the *Access to Information Regulations*. Consultations with stakeholders were undertaken for amendments done in 1986 and 1992.
B. Other Information: n/a			

[1] Note:

As established pursuant to the Policy on Service Standards for External Fees:
- Service standards may not have received Parliamentary review;
- Service standards may not respect all performance standard establishment requirements under the *UFA* (e.g. international comparison; independent complaint address)
- Performance results are not legally subject to *UFA* section 5.1 regarding fee reduction for failed performance.

Table 6 - Travel Policies

Comparison to the Treasury Board Secretariat *Special Travel Authorities*

Travel Policy of the RCMP External Review Committee:
The RCMP External Review Committee follows the Treasury Board of Canada Secretariat *Special Travel Authorities*.

Comparison to the Treasury Board of Canada Secretariat *Travel Directive, Rates and Allowances*

Travel Policy of the RCMP External Review Committee:
The RCMP External Review Committee follows the Treasury Board of Canada Secretariat *Travel Directive, Rates and Allowances*.

Table 7 - Financial Statements

Note: Financial Statements are prepared in accordance with accrual accounting principles. The unaudited supplementary information presented in the financial tables in the DPR is prepared on a modified cash basis of accounting in order to be consistent with appropriations-based reporting. Note 3 on page 32 of the financial statements reconciles these two accounting methods.

Statement of Management Responsibility (unaudited)

RCMP External Review Committee

Responsibility for the integrity and objectivity of the accompanying financial statements for the year ended March 31, 2006 and all information contained in these statements rests with departmental management. These financial statements have been prepared by management in accordance with Treasury Board accounting policies which are consistent with Canadian generally accepted accounting principles for the public sector.

Management is responsible for the integrity and objectivity of the information in these financial statements. Some of the information in the financial statements is based on management's best estimates and judgment and gives due consideration to materiality. To fulfil its accounting and reporting responsibilities, management maintains a set of accounts that provides a centralized record of the department's financial transactions. Financial information submitted to the Public Accounts of Canada and included in the Committee's Departmental Performance Report is consistent with these financial statements.

Management maintains a system of financial management and internal control designed to provide reasonable assurance that financial information is reliable, that assets are safeguarded and that transactions are in accordance with the *Financial Administration Act*, are executed in accordance with prescribed regulations, within Parliamentary authorities, and are properly recorded to maintain accountability of Government funds. Management also seeks to ensure the objectivity and integrity of data in its financial statements by careful selection, training and development of qualified staff, by organizational arrangements that provide appropriate divisions of responsibility, and by communication programs aimed at ensuring that regulations, policies, standards and managerial authorities are understood throughout the Committee.

The financial statements of the Committee have not been audited.

Catherine Ebbs

Catherine Ebbs
Chair

September 1, 2006

Virginia Adamson

Virginia Adamson
A/Executive Director and Senior Counsel

September 1, 2006

Statement of Operations (unaudited)

For the Year ended March 31	**2006**	2005
(in dollars)		
Expenses		
Salaries and employee benefits	**720,520**	737,220
Professional and special services	**148,022**	102,255
Accommodation	**72,300**	71,000
Information	**24,758**	16,501
Utilities, material and supplies	**16,169**	24,339
Communication	**11,225**	12,691
Equipment rentals	**10,177**	7,043
Travel and relocation	**7,495**	9,636
Equipment	**6,280**	22,354
Repairs	**65**	-
Net Cost of Operations	**1,017,011**	1,003,039

Statement of Financial Position (unaudited)

For the Year ended March 31	**2006**	2005
(in dollars)		
Assets		
Financial Assets		
Accounts receivable and advances (Note 4)	**8,938**	1,184
	8,938	1,184
Liabilities and Equity of Canada		
Liabilities		
Accounts payable and accrued liabilities	**44,662**	54,650
Vacation pay and compensatory leave	**18,822**	18,822
Employee severance benefits (Note 5)	**95,152**	103,838
	158,636	177,310
Equity of Canada	**(149,698)**	(176,126)
	8,938	1,184

The accompanying notes form an integral part of these financial statements.

Statement of Equity (unaudited)

For the Year ended March 31	**2006**	2005
(in dollars)		
Equity of Canada, beginning of year	**(176,126)**	(150,580)
Net cost of operations	**(1,017,011)**	(1,003,039)
Current year appropriations used (Note 3)	**932,034**	873,157
Change in net position in the Consolidated Revenue Fund (Note 3)	**(3,595)**	(9,664)
Services provided without charge by other government departments (Note 5)	**115,000**	114,000
Equity of Canada, end of year	**(149,698)**	(176,126)

The accompanying notes form an integral part of these financial statements

Statement of Cash Flow (unaudited)

For the Year ended March 31	**2006**	2005
(in dollars)		
Operating activities		
Net Cost of Operations	**1,017,011**	1,003,039
Non-cash items:		
Services received without charge from other government departments	**(115,000)**	(114,000)
Variations in Statement of Financial Position:		
Increase (decrease) in receivables	**7,754**	(3,627)
Decrease (increase) in liabilities	**18,674**	(21,919)
	928,439	863,439
Financing activities		
Net cash provided by Government of Canada	**(928,439)**	(863,493)

The accompanying notes form an integral part of these financial statements.

1. Authority and purpose

Under the *RCMP Act*, the RCMP Commissioner refers all appeals of formal discipline and all discharge and demotion appeals to the Committee unless the member of the RCMP requests that the matter not be referred. In addition, pursuant to section 33 of the *RCMP Act*, the RCMP Commissioner refers certain types of grievances to the Committee in accordance with regulations made by the Governor in Council. Section 36 of the *RCMP Regulations* specifies the grievances which the RCMP Commissioner is obliged to refer to the Committee, namely grievances respecting:

- √ the Force's interpretation and application of government policies that apply to government departments and that have been made to apply to members;
- √ the stoppage of pay and allowances of members made pursuant to subsection 22(3) of the *RCMP Act*;
- √ the Force's interpretation and application of the *Isolated Posts Directive*;
- √ the Force's interpretation and application of the *RCMP Relocation Directive*; and
- √ administrative discharge on the grounds of physical or mental disability, abandonment of post, or irregular appointment.

2. Significant accounting policies

The financial statements have been prepared in accordance with Treasury Board accounting policies which are consistent with Canadian generally accepted accounting principles for the public sector.

Significant accounting policies are as follows:

(a) Parliamentary appropriations
The Committee is financed by the Government of Canada through Parliamentary appropriations. Appropriations provided to the Committee do not parallel financial reporting according to generally accepted accounting principles since appropriations are primarily based on cash flow requirements. Consequently, items recognized in the statement of operations and the statement of financial position are not necessarily the same as those provided through appropriations from Parliament. Note 3 provides a high-level reconciliation between the bases of reporting.

(b) Net Cash Provided by Government
The Committee operates within the Consolidated Revenue Fund (CRF), which is administered by the Receiver General for Canada. All cash received by the Committee is deposited to the CRF and all cash disbursements made by the Committee are paid from the CRF. The net cash provided by Government is the difference between all cash receipts and all cash disbursements including transactions between departments of the federal government.

(c) Change in net position in the Consolidated Revenue Fund

The change in net position in the Consolidated Revenue Fund is the difference between the net cash provided by Government and appropriations used in a year, excluding the amount of non respendable revenue recorded by the Committee. It results from timing differences between when a transaction affects appropriations and when it is processed through the CRF.

(d) Expenses

Expenses are recorded on the accrual basis:

- √ Vacation pay and compensatory leave are expensed as the benefits accrue to employees under their respective terms of employment.
- √ Services provided without charge by other government departments for accommodation and the employer's contribution to the health and dental insurance plans are recorded as operating expenses at their estimated cost.

(e) Employee future benefits

i **Pension benefits:** Eligible employees participate in the Public Service Pension Plan, a multiemployer plan administered by the Government of Canada. The Committee's contributions to the Plan are charged to expenses in the year incurred and represent the total obligation to the Plan. Current legislation does not require the Committee to make contributions for any actuarial deficiencies of the Plan.

ii **Severance benefits:** Employees are entitled to severance benefits under labour contracts or conditions of employment. These benefits are accrued as employees render the services necessary to earn them. The obligation relating to the benefits earned by employees is calculated using information derived from the results of the actuarially determined liability for employee severance benefits for the Government as a whole.

(f) Measurement uncertainty

The preparation of these financial statements in accordance with Treasury Board accounting policies, which are consistent with Canadian generally accepted accounting principles for the public sector, requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, revenues and expenses reported in the financial statements. At the time of preparation of these statements, management believes the estimates and assumptions to be reasonable. The most significant items where an estimate is used is the liability for employee severance benefits. Actual results could significantly differ from those estimated. Management's estimates are reviewed periodically and, as adjustments become necessary, they are recorded in the financial statements in the year they become known.

3. Parliamentary appropriations

The Committee receives most of its funding through annual Parliamentary appropriations. Items recognized in the statement of operations and the statement of financial position in one year may be funded through Parliamentary appropriations in prior, current or future years. Accordingly,

the Committee has different net results of operations for the year on a government funding basis than on an accrual accounting basis. The differences are reconciled in the following tables:

(a) Reconciliation of net cost of operations to current year appropriations used:

(in dollars)	**2006**	2005
Net cost of operations	**1,017,011**	1,003,039
Adjustments for items affecting net cost of operations but not affecting appropriations:		
Add (Less):		
Services provided without charge by other government departments	**(115,000)**	(114,000)
Adjustments to payable at year end	**21,337**	-
Employee severance benefits	**8,686**	(15,282)
Fees paid to Justice	**-**	(600)
	(84,977)	(129,882)
Current year appropriations used	**932,034**	873,157

(b) Appropriations provided and used:

(in dollars)	**2006**	2005
Program expenditures - Vote 80	**772,000**	769,000
Supplementary Vote 80a	**-**	38,350
Transfer from TB - Vote 5	**55,450**	-
Transfer from TB - Vote 15	**-**	8,000
	827,450	815,350
Less:		
Lapsed appropriations	**(17,962)**	(66,854)
	809,488	748,496
Statutory amounts		
Contributions to employee benefits plan	**122,546**	124,661
Current year appropriations used	**932,034**	873,157

(c) Reconciliation of net cash provided by Government to current year appropriations used:

(in dollars)	**2006**	2005
Net cash provided by Government	**928,439**	863,493
Change in net position in the Consolidated Revenue Fund:		
Refund/adjustments of previous years expenses	**21,337**	-
(Increase) decrease in receivables and advances	**(7,754)**	2,034
Increase (decrease) in payables	**(9,988)**	8,230
Justice Canada fees	**-**	(600)
	3,595	9,664
Current year appropriations used	**932,034**	873,157

4. Accounts Receivable and Advances

The following table presents details of accounts receivable and advances:

(in dollars)	**2006**	2005
Receivable from other Federal Government departments and agencies	**8,688**	934
Employee advances	**250**	250
	8,938	**1,184**

5. Employee Benefits

(a) Pension benefits

The Committee's employees participate in the Public Service Pension Plan, which is sponsored and administered by the Government of Canada. Pension benefits accrue up to a maximum period of 35 years at a rate of 2 percent per year of pensionable service, times the average of the best five consecutive years of earnings. The benefits are integrated with Canada/Québec Pension Plans benefits and they are indexed to inflation.

Both the employees and the Committee contribute to the cost of the Plan. The expense presented below represents approximately 2.6 times the contributions by employees.

(in dollars)	**2006**	2005
Pension expense	**90,684**	91,376

The Committee's responsibility with regard to the Plan is limited to its contributions. Actuarial surpluses or deficiencies are recognized in the financial statements of the Government of Canada, as the Plan's sponsor.

(b) Severance benefits

The Committee provides severance benefits to its employees based on eligibility, years of service and final salary. The liability at the end of the year is determined by multiplying a ratio (21.39% in 2006 and 23.2% in 2005) to the department's annual gross payroll at year end subject to severance pay, which is the payroll related to indeterminate employees. The ratio is determined by Treasury Board Secretariat. The expense for the year is negative because in fiscal year 2006 one FTE was only partially filled. These severance benefits are not pre-funded. Benefits will be paid from future appropriations. Information about the severance benefits, measured as at March 31, is as follows:

(in dollars)	**2006**	2005
Accrued benefit obligation, beginning of year	**103,838**	88,556
Expense for the year	**(8,686)**	15,282
Accrued benefit obligation, end of year	**95,152**	103,838

6. Related party transactions

The Committee is related as a result of common ownership to all Government of Canada departments, agencies, and Crown corporations. The Committee enters into transactions with these entities in the normal course of business and on normal trade terms. Also, during the year, the Committee received services which were obtained without charge from other Government departments as presented in part (a).

(a) Services provided without charge

During the year the Committee received service without charge from other departments. These services have been recognized in the Committee's Statement of Operations as follows:

(in dollars)	**2006**	2005
Accommodation	**72,000**	71,000
Employer's contribution to the health and dental insurance plans	**43,000**	43,000
	115,000	114,000

The Government has structured some of its administrative activities for efficiency and cost-effectiveness purposes so that one department performs these on behalf of all without charge. The costs of these services, which include payroll and cheque issuance services provided by Public Works and Government Services Canada and audit services provided by the Office of

the Auditor General, are not included as an expense in the Committee's Statement of Operations.

(in dollars)	**2006**	2005
Accounts receivable with other government departments and agencies	**6,190**	12,663
Accounts payable to other government departments and agencies	**8,688**	934

Table 8 - Internal Audits or Evaluations

Internal Audits or Evaluations of the RCMP External Review Committee:

1. Participating in a One Pass Planning exercise with the Office of the Auditor General as part of the overall portfolio for Public Safety and Emergency Preparedness Canada.

2. The Committee is in the process of an horizontal audit by the Office of the Auditor General as part of the ongoing Small Agencies horizontal audit. No report on this audit has been made in this fiscal year.

SECTION IV - OTHER ITEMS OF INTEREST

Resource Person

Virginia Adamson
Executive Director and Senior Counsel (Acting)
RCMP External Review Committee
P.O. Box 1159, Station B
Ottawa, Ontario
K1P 5R2

Telephone: (613) 998-2874
Fax: (613) 990-8969
Email: org@erc-cee.gc.ca
Internet: www.erc-cee.gc.ca